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LG/NAIROBI

ESTABLISHMENT OF A UNITED NATIONS AFRICAN INSTITUTE FOR THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS (UNAFRI)

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Historical background

1. The United Nations programme for crime prevention and criminal justice began as early as 1950 with the transfer of the functions of the international Penal and Penitentiary Commission. One of the main responsibilities assumed by the United Nations was the organization, every five years, of congress on the prevention of crime and the treatment of offenders, which have provided a world forum for the exchange of views and experiences in the field. The first United Nations Congress was held in Geneva, in 1955; the second in London, in 1960; the third in Stockholm, in 1965; the fourth in Kyoto, in 1970; the fifth in Geneva, in 1975; the sixth in Caracas, in 1980; and the seventh Congress in Milan, in 1985.

2. After the second Congress, demand for the establishment of regional institutes for crime prevention and treatment of offenders was addressed to the United Nations. The United Nations accepted this new challenge and in 1961 the first of such institutes was created for Asia and the Far East (UNAFEI) in Tokyo, Japan. In 1975, the second of such institutes was established for Latin America (ILANUD) and located in San Jose, Costa Rica. The third regional institute was established in Helsinki, Finland, in 1981, for European countries.

Legislative mandates

3. Numerous recommendations and resolutions have been adopted calling for the establishment of an African Institute for the Prevention of Crime and the Treatment of Offenders. As early as 1975, the fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders recommended that the "governments concerned and the United Nations should consider the early establishment of regional research facilities for crime prevention and the promotion of criminal justice in Africa". The African Regional Preparatory Meeting for the sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Addis Ababa, in August 1978, adopted a resolution urging "the Secretary-General of the United Nations and the Administrator of the United Nations Development Programme to take all necessary steps for the creation of the African Regional Institute for the Prevention of Crime and the Treatment of Offenders". In May 1979, the Economic and Social Council adopted resolution 1979/20 on "Technical co-operation in crime prevention control', requesting the Secretary-General of the United Nations to "establish an institute for Africa south of the Sahara, in the field of crime prevention and the treatment of offenders". In July 1979, the Council of Ministers of the Organization of African Unity, meeting in Monrovia, adopted resolution CM/RES/755(XXXIII) on the establishment of African anti-crime organizations. The resolution was subsequently endorsed by the sixteenth Assembly of OAU Heads of State and Government.

4. The Conference of Ministers of the United Nations Economic Commission for Africa (ECA) adopted resolution 392(XV), in April 1980, requesting the Executive Secretary of ECA, in consultation with the relevant international and regional organizations, to take all appropriate steps to establish a

United Nations regional institute for the prevention of crime and the treatment of offenders for Africa south of the Sahara. Resolution 19 adopted by the sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders held in Caracas, from 25 August to 5 September 1980, recommended that the Secretary-General "should view favourably the establishment in Africa of a regional body for social defence studies, along the lines of those already set up in the other regions of the world; ... should provide the necessary means to assist that body, once it has been set up, in effectively discharging its tasks, in the form of financial assistance from the United Nations Development Programme". This recommendation was subsequently endorsed by General Assembly resolution 35/171 of 15 December 1980.

5. The urgent need for the establishment of an appropriate African institute in social defence was also expressed by participants at the African Regional Preparatory Meeting for the seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Addis Ababa from 28 November to 2 December 1983. In this connection, they adopted a resolution on subregional, regional and international co-operation in crime prevention and criminal justice, expressing "great concern in the delay in the establishment of the African regional institute ... and called upon all the organizations and agencies involved in the establishment of this institute to take urgent steps to ensure the early realization of this project ...". Following the regional preparatory meeting, the seventh United Nations Congress on Crime Prevention and the Treatment of Offenders, in its resolution 4, urgently requested the Secretary-General of the United Nations to establish, as a matter of the highest priority, in close collaboration with th Organization of African Unity and with the participation of ECA, an African Regional Institute ...". This resolution also requested the Secretary-General to "arrange a meeting of African experts on this issue as soon as possible in order to consider the role, operation, organization and administration of the Regional Institute". Similarly, the Milan Plan of Action, unanimously adopted by the seventh Congress, recommended to the United Nations General Assembly that action should be taken for the immediate establishment of the African Institute. The General Assembly, in its resolution 40/32 of 29 November 1985 endorsed all the resolutions of the seventh Congress including resolution 4 and the Milan Plan of Action.

Progress achieved

6. Pursuant to all these resolutions, and in recognition of the negative effects of crime on the development of African countries, the Secretary-General convened a preparatory meeting of African experts in Vienna, Austria, from 17 to 19 March 1986, to advise him on issues to be considered by the Group of Governmental Experts, as requested by the seventh Congress. Participants to the preparatory meeting included members of the Committee on Crime Prevention and Control from the African region, representatives from the Organization of African Unity, the Economic Commission for Africa and the Department of International Economic and Social Affairs (DIESA). The preparatory meeting made a number of recommendations concerning the role, objectives, functions, membership, structure and organization of the Institute, for consideration by the Group of Governmental Experts.

7. The meeting of the Group of Governmental Experts on the Establishment of a United Nations African Institute for the Prevention of Crime and the Treatment of Offenders (UNAFRI) met at United Nations Headquarters in New York, from 10 to 12 September 1986. It was attended by representatives of 23 Member States of the African region, the Organization of African Unity and the United Nations. The meeting considered and agreed on a number of issues as follows:

Objectives

8. The objectives of UNAFRI should be to:

(a) Assess criminality trends in the region and their impact on national development;

(b) Assist in the formulation of policies and programmes for the prevention of crime and the treatment of offenders in the context of overall national development planning;

(c) Assist in formulating common policy and undertaking joint action on matters of mutual concern in crime prevention and control and exchanging information and experience in this field;

(d) Assist in the promotion of criminal justice reforms in accordance with United Nations norms and guidelines drawing on African traditions and orientations as well as new developments in the field.

Functions

9. The functions of the Institute should be to:

(a) Operate a programme for the collection, analysis and dissemination of data related to crime prevention and criminal justice;

(b) Conduct crime and criminal justice surveys, and to engage in research designed to assist member States in planning for crime prevention and control, and to develop indigenous approaches and solutions in this area;

(c) Publish and disseminate information relating to new developments in criminal justice, aimed at keeping African criminal justice personnel abreast of developments;

(d) Provide, upon request, to African member States, technical assistance in matters of crime prevention and control;

(e) Provide additional in-service training for criminal justice personnel, including policy-makers, administrators, judges, prosecutors, lawyers, police and correctional officials, teachers, social workers and researchers;

(f) Conduct training courses and seminars for the teaching staff of national criminal justice-related training establishments;

(g) Collect and adapt to the cultural and social specificities of the region audio-visual materials in the area of crime prevention and criminal justice to be used for training purposes;

(h) Promote joint action on problems of common concern and conduct any other activities related to its objectives;

(i) Promote technical co-operation and the exchange of knowledge and experience among African countries in the field of crime prevention and the treatment of offenders.

Membership

10. The consensus was that, in view of the various resolutions calling for the Institute's establishment in close collaboration with OAU and with the participation of ECA, membership should be open to all member States of OAU and of ECA.

Governing Board of the Institute

11. The meeting decided that Board members would be elected to serve for a term of two to three years, with staggered arrangements to ensure continuity of membership and the work of the Board. The membership of the Board would include:

(a) Five African representatives from member States: one each from each of the five subregional groups to serve as full members;

(b) A representative of the Secretary-General of the United Nations as an ex-officio member;

(c) The Executive Secretary of ECA or his representative as an ex-officio member;

(d) The Secretary-General of OAU or his representative as an ex-officio member;

(e) A representative of UNDP as an ex-officio member;

(f) A representative of the host country as an ex-officio member;

(g) Experts invited by the Governing Board in their capacity as observers/advisers.

12. Voting would be limited to representatives of member States on the Governing Board and the appropriate body of ECA should be the forum for selecting these members of the Board. In this respect, the attention of

the eighth meeting of the Technical Preparatory Committee of the Whole is being drawn to the need to make appropriate proposals on this issue for consideration by the thirteenth meeting of the Conference of Ministers.

Chairmanship of the Governing Board

13. The consensus on this subject was that the Chairman should be elected by the voting members of the Board, and should serve for one year, to permit the rotation of this position among the various subregions.

Reporting of the Governing Board

14. It was decided that:

(a) The Governing Board should report to ECOSOC through the Committee on Crime Prevention and Control, and its report should be made available, for information, to the Conference of African Ministers of Social Affairs;

(b) Any views expressed by the Conference of African Ministers of Social Affairs on the operation of the African Institute should be referred to ECA which should report thereon, with comments, if any, to ECOSOC;

(c) The Director of the Institute, who should be the Executive Secretary of the Governing Board, should attend the Board meeting in a consultative capacity.

Functions of the Governing Board

15. The functions of the Board, which would meet once a year, should be to:

(a) Formulate policies and guidelines for the functions of the Institute;

(b) Elaborate the programme of work and budget of the Institute;

(c) Issue directives and take measures, within the framework of the agreement, for the establishment of the Institute;

(d) Establish, as necessary, its subsidiary bodies.

16. The Board would establish its own rules of procedures.

Secretariat and host country for the Institute:

17. The meeting agreed that the secretariat of UNAFRI should consist of the Director, who will be assisted in discharging his duties by both permanent and temporary personnel. Pending the selection of the host country, the Institute would begin its operation at ECA headquarters in Addis Ababa. The Department of International Economic and Social Affairs, ECA and OAU would second one or two staff members each to initiate the work of the Institute.

Concerning host facilities, the Group of Governmental Experts agreed on the selection criteria and on the obligations of the host country. In this connection, a joint ECA/OAU 1/ note verbale was circulated to governments of all member States, in August 1986, inviting them to indicate their interest in offering host facilities for the Institute. The early selection of a host country is considered of utmost importance, as it will facilitate the work of the Institute and enhance its service delivery to member States. Interested governments are therefore urged to kindly inform the ECA and OAU secretariats of their intention to host the Institute at their earliest convenience, but not later than 30 April 1987.

Financing of the Institute

18. The Institute's activities would be financed primarily from contributions by member States based on the OAU scale of assessment. Extrabudgetary resources could also be mobilized in this respect. The United Nations financial rules and regulations would be applicable in the administration and control of the Institute's finances.

19. Following the meeting of the Group of governmental experts, and through the efforts of the Department of International Economic and Social Affairs, in consultation with ECA and OAU, the UNDP approved a grant of $US 250,000 to cover activities of the initial phase of the project. In December 1986, two staff members of DIESA arrived in Addis Ababa, to assist ECA in the elaboration of the specific activities of the Institute during its initial phase. A working-level meeting attended by representatives of DIESA, ECA, UNDP, and OAU was held at ECA on 12 December 1986, to review the progress so far made in the establishment of UNAFRI and to consider how best to implement the proposed activities during the initial phase. The meeting also reviewed the temporary assignment of staff from DIESA, ECA, and OAU to UNAFRI as had been agreed upon earlier. In this respect DIESA had designated one staff member to work on the preparatory activities of the project, on a full-time basis, since the end of 1985. Substantive support had also been provided by the Centre for Social Development and Humanitarian Affairs, and as well as the United Nations Social Defence Institute. ECA, on its part, has designated one of its staff members in the Division of Social Development, Environment and Human Settlement, as Officer-in-Charge, pending the appointment of the Director. Since it has now assumed responsibility as the interim secretariat of UNAFRI, ECA will make available its facilities for the smooth operation of the activities of the Institute during the initial phase. The assignment of staff to the interim secretariat is also under consideration by the OAU. With all this, the initial phase of UNAFRI is effectively in operation.

20. During the nine-month period of the initial phase, a number of activities are envisaged as follows:

1/ ECA and OAU each sent a separate note verbale to the country not a member of the other.

(a) Assessment of the requirements for crime prevention and the resources of the countries of the region;

(b) Elaboration of the details of the Institute's long-term work programme;

(c) Design of the training programme and core-curriculum for two seminar-courses for senior criminal justice officials and planners, and for juvenile delinquency personnel, respectively;

(d) Adaptation of the United Nations Manual for the collection of crime statistics to the special African needs;

(e) Initiation of a pilot project for the collection of comprehensive crime statistics;

(f) Establishment of a framework for the Institute's information/documentation centre;

(g) Identification of the main sources of information on crime, crime prevention and criminal justice in the context of development in the region and feasibility study on the establishment of a regional crime prevention and criminal justice information network as part of an effort to set up a global network of this kind;

(h) Identification of possible sources of funding and assistance from within and outside the region and, of possible collaborative initiatives.